IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

Crl.Rev.Pet.No. 809 of 1999()

CRA.136/1996 of SESSIONS COURT, PALAKKAD
ST.2785/1994 OF THE JFCM, PATTAMBI.

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REVN. PETITIONER:

RAJAN, S/O. VELAYUDHAN,
KONNATHU PARAMBIL,
WESTERN KODUMUNDA DESOM,
PARUTHUR AMSOM,
OTTAPPALAM TALUK.

BY ADV. SRI.P.VIJAYA BHANU
SRI.S.R.MANOJ

RESPONDENTS:

STATE OF KERLA, REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI AMJAD ALI.

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 02/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P. NO.3597/99 IN CRL.R.P. NO.809/1999

DISMISSED.

2-4-2007 SD/- K.R.UDAYABHANU, JUDGE.

//TRUE COPY//

K.R.UDAYABHANU, J.

CRL.R.P.NO. 809 of 1999

Dated this the 2nd day of April, 2007

ORDER

The revision petitioner stands convicted for the offence under section 55(g) of the Abkari Act and sentenced to undergo simple imprisonment for one month and to pay a fine of Rs.5000/-.

2. The prosecution case is that on 11-8-94, the revision petitioner/2nd accused was found carrying two plastic pots, each containing 18 litres of contraband wash in the residential compound owned by his father, the Ist accused. First accused was acquitted by the trial court.

3. Counsel for the revision petitioner has pleaded for leniency pointing out that the incident has taken place more than 12 years back.

4. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a fine of Rs.5000/- (less the amount if any already deposited) and in

default, to undergo simple imprisonment for six months.

The revision petitioner shall appear before the JFCM, Pattambi on 7-5-2007 to receive the sentence.

The Crl.Revision petition is disposed of accordingly.

K.R.UDAYABHANU,
JUDGE

kvm/-

K.R.UDAYABHANU, J.

CRL.R.P. NO. 809/1999

ORDER

2-4-2007.